

#EO-333

**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

**OFFICE OF ECONOMICS, ENVIRONMENTAL ANALYSIS, AND ADMINISTRATION**

October 12, 2006

Kyle J. Hupfer  
State Historic Preservation Officer  
Indiana Department of Natural Resources  
Division of Historic Preservation and Archeology  
402 W. Washington Street, W274  
Indianapolis, IN 46204-2739

Re: Authorization of Applicant Consultation for Railroad  
Abandonment Proceedings, Pursuant to 36 CFR 800.2(c)(4)

Dear Director Hupfer:

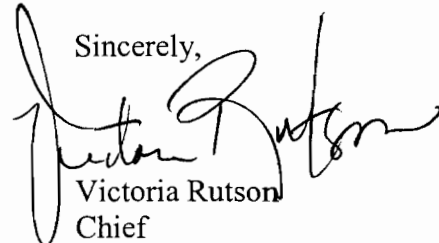
The Surface Transportation Board (Board) is the agency charged with overseeing common carrier railroad abandonment proceedings. The Board's Section of Environmental Analysis (SEA) is the office within the Board responsible for conducting the environmental review of railroad abandonment proceedings, pursuant to the National Environmental Policy Act, the National Historic Preservation Act (NHPA), and related environmental laws.

The Board's environmental rules at 49 CFR Part 1105 require applicants in railroad abandonment proceedings to prepare environmental and historic reports in consultation with appropriate Federal, state and local agencies and to submit these reports to the appropriate agencies for review at least 20 days before seeking authority from the Board to abandon a line of railroad. In particular, the regulations regarding historic reports specify that applicants must submit the historic report to the appropriate State Historic Preservation Officer (see 49 CFR 1105.8).

We understand that, prior to reviewing historic reports prepared by applicants, your office requires a letter from SEA formally delegating applicants to consult with your agency pursuant to the Section 106 process of NHPA (see 36 CFR 800.2(c)(4)). Thus, we are formally delegating all applicants and potential applicants for railroad abandonment proceedings the authority to consult with your agency pursuant to the Board's environmental regulations at 49 CFR Part 1105. This consultation includes, but is not limited to, the submission of letters seeking information from your agency and the

submission of historic reports prepared to assist your agency in determining whether historic properties would be affected by a potential railroad abandonment proceeding.

If you need additional information or would like to discuss this matter further, please do not hesitate to contact me.

Sincerely,  
  
Victoria Rutson  
Chief  
Section of Environmental Analysis